



United States Mission to the OSCE

Update on U.S. Policy on Torture

As delivered by Political Counselor Bruce Connuck
to the Permanent Council, Vienna
January 27, 2005

Thank you, Mr. Chairman.

On December 30, 2004, the United States Department of Justice released a memorandum interpreting U.S. domestic law prohibiting torture. This memorandum replaces an August 2002 memorandum, which was discussed at the Human Dimension Implementation Meeting last October, and which had previously been withdrawn by the United States Government.

The new memorandum reiterates that torture is abhorrent, both to American law and values, and to international norms.

As President Bush stated in July 2004, "America stands against and will not tolerate torture. We will investigate and prosecute all acts of torture... in all territory under our jurisdiction.... Torture is wrong no matter where it occurs, and the United States will continue to lead the fight to eliminate it everywhere."

U.S. authorities conduct vigorous investigations into all allegations of torture and abuse. The United States holds individual wrongdoers accountable based on a thorough review of all of the facts. At last October's HDIM, we hosted a side-event at which we explained steps we have taken to improve policies and controls designed to prevent torture in military places of detention.

Even in responding to attacks against it by terrorists, the U.S. Government remains steadfastly committed to upholding its obligations under international law relating to the prohibition of torture.

The December 30 memorandum provides a straightforward and rigorous analysis of the U.S. torture statute. It defines torture clearly, and in a manner consistent with international law.

This memo has been released publicly and is available on the Internet. We have circulated the full text to OSCE delegations electronically.

We encourage other delegations to inform the Permanent Council of steps they are taking to prevent torture and to hold accountable officials who violate domestic law and international standards against torture.

Thank you, Mr. Chairman.